
INTRODUCED BY SENATOR BALLARD,

JANUARY 16, 1917.

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

AN ACT

For the REGULATION AND PRACTICE OF DRUGLESS SYSTEMS OR METHODS OF TREATING SICK OR AFFLICTED HUMAN BEINGS; REGULATING THE EXAMINATION OF APPLICANTS FOR LICENSES, REGULATING REGISTRATION OF APPLICANTS; ALLOWING THOSE LICENSED TO TREAT DISEASE, INJURIES, DEFORMITIES OR OTHER PHYSICAL OR PSYCHOPATHIC CONDITIONS OF HUMAN BEINGS BY DRUGLESS METHODS; TO ESTABLISH A BOARD OF EXAMINERS FOR DRUGLESS PHYSICIANS; TO PROVIDE FOR THEIR APPOINTMENT AND FORMATION AND PRESCRIBE THEIR POWERS AND DUTIES; MAKING VIOLATION OF THIS ACT A MISDEMEANOR; AND REPEALING ALL PARTS OF AN ACT ENTITLED "AN ACT TO REGULATE THE EXAMINATION OF APPLICANTS FOR LICENSES AND THE PRACTICE OF THOSE LICENSED TO TREAT DISEASES, INJURIES, DEFORMITIES OR OTHER PHYSICAL OR MENTAL CONDITION OF HUMAN BEINGS; TO ESTABLISH A BOARD OF DRUGLESS EXAMINERS, TO PROVIDE FOR THEIR APPOINTMENT AND PRESCRIBE THEIR POWERS AND DUTIES, AND TO REPEAL ALL PARTS OF AN ACT ENTITLED 'AN ACT FOR THE REGULATION OF THE PRACTICE OF MEDICINE AND SURGERY, OSTEOPATHY AND OTHER SYSTEMS OR MODES OF TREATING THE SICK OR AFFLICTED IN THE STATE

OF CALIFORNIA, AND FOR THE APPOINTMENT OF A BOARD OF DRUGLESS EXAMINERS.”

The people of the State of California do enact as follows:

SECTION 1. A board to consist of five members and to be known as the board of examiners for drugless physicians is hereby created and established. The governor shall appoint the members of the board on or before the first Tuesday in August, one thousand nine hundred seventeen, each of whom shall have been a citizen of this state at the time of his appointment.

Each of the members shall be appointed from among persons who practice any method of the healing arts known as drugless methods, and no graduate of medicine, surgery, osteopathy, dentistry or any other than a drugless method shall be eligible to membership on said board. The governor shall fill by appointment all vacancies on the board. Term of office of each member shall be three years: *provided*, that of the first board appointed two members shall be appointed for one year, two members for two years and one member for three years, and that thereafter all appointments shall be for three years, except the appointment to fill vacancies shall be for the unexpired term only. The governor shall have the power to remove from office any member of the board for the neglect of duty or unprofessional conduct. The governor shall appoint the members of said board from the various drugless schools, methods or systems of drugless healing within the state, and any such member of the first board shall not already be registered as a drugless physician, then by virtue of said appointment the members shall be deemed to be licensed by virtue of their appointment. Each member of the board shall, upon entering upon the duties of his office take the constitutional oath of office.

SEC. 2. Said board shall organize on or before thirty days after the appointment of its members, by electing from among its members a president, vice president, secretary and treasurer who shall hold their respective offices during the pleasure of the board.

The board shall hold, at least, one meeting annually, beginning not later than the first Tuesday in January, one thousand nine hundred eighteen, in the city of Los Angeles, and at least, one additional meeting annually, which shall be held in the city of San Francisco, with power of adjournment from time to time until its business is concluded. It is further provided that examinations of applicants for certificates may, in the discretion of the board, be conducted in any other part of the state designated by the board. Special meetings of the board may be held at such time and place as the board may designate; *provided*, that such notice shall be given in writing at least ten days prior to the holding of said meeting. The secretary shall receive all applications for certificates. The office of the board shall be either in the city of Los Angeles or San Francisco as the board may direct and proceedings against the board may be brought either in San Francisco or Los Angeles.

SEC. 3. The board may from time to time adopt such rules not inconsistent with this act as may be necessary to enable it to carry into effect the provisions of this act. It shall require the affirmative vote of three members to carry any motion or resolution, to adopt any rules, to pass any measure, or to authorize the issuance of any certificate as in this act provided. Any member of the board may administer oaths in any matter pertaining to the duties of the board, and the board shall have authority to take any evidence in any matter cognizable by it. The board is authorized to prosecute all persons guilty of violations of the provisions of this act. The board shall fix the salary of the secretary not to exceed the sum of one thousand two hundred dollars per annum and the sum to be paid to other members of the board not to exceed ten dollars per diem each for each and every day of actual service in the discharge of official duties, and the board may, in its discretion, add to said sum necessary traveling expenses.

SEC. 4. A monthly report of all receipts and disbursements of whatsoever nature, shall be kept by the secretary and treasurer, and shall be reported at each regular meeting of the

1 board. The board is further empowered to establish a reason-
2 able contingent fund for salaries and other necessary expenses
3 of the board; an amount not to exceed one thousand dollars
4 may be drawn from the contingent fund, to be used as a
5 revolving fund where cash advances are necessary.

6 SEC. 5. Every applicant for a certificate shall pay to the
7 secretary of the board a fee of twenty-five dollars, which shall
8 be paid to the treasurer of the board by said secretary. In
9 case the applicant's credentials are insufficient or in case he
10 does not desire to take examination, the sum of ten dollars shall
11 be retained, the remainder of the fee shall be returnable on
12 application.

13 SEC. 6. One form of certificate shall be issued by said
14 board, authorizing the holder thereof to treat or otherwise
15 correct conditions of disease, injuries, deformities, or other
16 physical or psychopathic conditions without the use of drugs
17 or what is known as medicinal preparations, or without the use
18 of surgery, which certificate shall be designated "drugless
19 physicians' certificate," which will authorize the holder thereof
20 to use any method known as a drugless method. Said cer-
21 tificate on being recorded in the office of the county clerk, as
22 hereinafter provided, shall constitute the holder thereof a duly
23 licensed practitioner, in accordance with the provisions of
24 this act.

25 SEC. 7. Every applicant must file with the board at least
26 two weeks prior to the regular meeting thereof satisfactory
27 testimonial of good moral character and every applicant after
28 one year of the going into effect of this act must show that he
29 has attended two courses of study, each such course to have
30 been not less than thirty-two weeks duration. Said course
31 consisting of of the following subjects: anatomy, histology,
32 toxicology, physiology, hygiene, pathology, diagnosis, therapeutics,
33 practice and technic, obstetrics and gynecology, and shall pass
34 a written examination in said subjects with a general average
35 of not less than seventy-five per cent, with a marking of not less
36 than sixty per cent in any two subjects.

1 SEC. 8. Any person who shall pay to the secretary of the
2 board the sum of twenty-five dollars on or before the first day
3 of November, one thousand nine hundred seventeen, and who
4 shall have been in the actual practice of a drugless system of
5 treating the sick and afflicted human beings in the State of
6 California, for a period of not less than one year, prior to
7 the going into effect of this act, shall be granted by said drug-
8 less board an oral, practical and clinical examination, and if in
9 the judgment of said drugless board of examiners, after such
10 oral, practical and clinical examination, the applicant is pre-
11 pared to treat the sick and afflicted human beings, and who
12 shall have passed a general average of not less than seventy-five
13 per cent in said oral, practical and clinical examinations the
14 said applicant shall be issued a certificate to practice drugless
15 methods, under the provisions of this act.

16 SEC. 9. All applicants after January 1, 1918, shall present
17 to the board evidence of having pursued a residence course of
18 not less than two years of eight months each in a drugless
19 school or schools, or the equivalent thereof, and to hold a
20 diploma or diplomas from some accredited drugless school or
21 schools, and who presents such diploma or diplomas with affida-
22 vits of good moral character, shall be admitted to the regular
23 written examination before the drugless board, and upon the
24 passing of a general average of not less than seventy-five per
25 cent, with no two subjects less than sixty per cent, then the
26 said board shall grant the said applicant a certificate to prac-
27 tice under the provisions of this act in the State of California.

28 SEC. 10. Said board may revoke the certificate of any drug-
29 less physician guilty of unprofessional conduct being under
30 the following:

31 *First*—The procuring or aiding or abetting in procuring of
32 a criminal abortion.

33 *Second*—The wilful betraying of a professional secret.

34 *Third*—All advertising which is intended or has a tendency
35 to deceive the public or impose upon credulous or ignorant per-
36 sons, or the advertising of a drugless physician that he is prac-
37 ticing a system in which he does not hold a certificate.

1 *Fourth*—Conviction of any offense involving moral tur-
2 pitude.

3 *Fifth*—Habitual intemperance.

4 *Sixth*—The personation of any licensed practitioner.

5 *Seventh*—The practicing under any false or fictitious name
6 other than his own.

7 *Eighth*—Advertising directly or indirectly or holding them-
8 selves out to be a licensed drugless practitioner, when they do
9 not hold an unrevoked certificate by said drugless board, and
10 said certificate shall not have been registered in the county
11 where said drugless physician is practicing.

12 *Ninth*—Anyone holding themselves out as having any degree
13 or degrees for which they can not show a diploma, shall be
14 guilty of a misdemeanor. Anyone practicing or attempting
15 to practice a drugless system or systems in this state without
16 a certificate in force, shall be guilty of a misdemeanor. Any
17 person violating any provisions of this act, shall be deemed
18 guilty of a misdemeanor and shall be subject to a fine of not
19 less than one hundred dollars nor more than three hundred
20 dollars, or not less than ten days nor more than ninety days in
21 jail, or both such fine and imprisonment.

22 *Tenth*—All parts of an act entitled "An act to regulate the
23 examination of applicants for licenses and the practice of those
24 licensed to treat diseases, injuries, deformities, or other physical
25 or mental conditions of human beings; to establish the board
26 of medical examiners in the matter of said regulation, approved
27 March 4, 1907, and acts amendatory thereof, and also to repeal
28 all other acts and parts of acts in conflict of this act," approved
29 June 2, 1913, in conflict with this act, or pertaining in any way
30 to the examination and licensing of applicants to practice
31 drugless systems known as drugless systems, and all acts or
32 parts of acts in conflict with this act are hereby repealed.